APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/627,381	07/25/2003	Kenneth Willian	128534-06201 (07028797)	3909

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MAYER BROWN LLP
P.O. BOX 2828
CHICAGO, IL 60690

EXAMINER
JOO, JOSHUA

ART UNIT	PAPER NUMBER
2454	

NOTIFICATION DATE	DELIVERY MODE
02/04/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ipdocket@mayerbrown.com

	Application No.	Applicant(s)
Office Action Summary	10/627,381	WILLIAN ET AL.
	Examiner	Art Unit	
	JOSHUA JOO	2454	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>28 October 2008</u>.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1,3,6,12,14 and 16</u> is/are pending in the application.
   4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) <u>1, 3, 6, 12, 14, 16</u> is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on <u>10/28/08</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All b) ☐ Some * c) ☐ None of:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. _____.
    3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Detailed Action

1.   This Office action is in response to Applicant's communication filed on 10/28/2008.

Claims 1, 3, 6, 12, 14, and 16 are pending for examination.

Response to Arguments

2.   Applicant's arguments with respect to claims 1, 3, 6, 12, 14, and 16 have been considered but are

moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   Claims 1, 6, 12, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crook, US

Publication #2003/0177203 (Crook hereinafter), in view of in view of Stuppy, US Publication

#2003/0054328 (Stuppy hereinafter) and Ladd et al. US Publication #2004/0024897 (Ladd hereinafter).

5.   As per claim 1, Crook teaches substantially the invention as claimed including a method for

converting deliverables, the method comprising:

preparing a plurality of deliverables for conversion to a plurality of formats suitable for

presentation, each deliverable including an associated content item and a corresponding associated format

to which to convert the associated content item (Paragraphs 0020-0021; 0025. Deliver document for

conversion, which comprises information content associated with format codes. Paragraph 0024.

Designate links by special codes. "preparing" may be considered as a process of creating, retrieving, or extracting content or code for conversion.);

converting the associated content items, whereby "the system" converts the associated content item to the corresponding associated format (Paragraph 0022. Translate formatting codes into HTML codes. Paragraph 0024. Generate links for special codes.);

compiling the converted deliverables for distribution over a plurality of deliverable channels (Paragraph 0025. Translation results in HTML document. HTML document would comprise "compiled" HTML codes.);

posting the converted deliverables as content to the delivery channels; and delivering the content to a plurality of presentation devices (fig. 6. #230 Students. Page 5, claim 6. Deliver test to one or more person over network. Paragraph 0057. Deliver documents to students.).

6.   Crook does not specifically teach that each corresponding associated format includes at least one specified translated human language. Crook teaches of converting associated content items to corresponding associated formats but does not specifically teach of converting using a plurality of parallel processing threads, each thread corresponding to an associated deliverable, whereby each thread converts the associated content item to the corresponding associated format by using a plurality of parallel processing threads.

7.   Stuppy teaches of converting deliverables to formats suitable for presentation, wherein associated content items include at least one specified translated human language (Paragraph 0067. Material is customized for each student. Transform material to Spanish.).

8.   It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the associated formats to include at least one specified translated human language. The motivation is that Stuppy's teachings would improve Crook's system by providing

customized material to each student based on each of the student's profile and enabling a teacher to individually interact with students over a communication channel (Paragraph 0015).

9.   Ladd teaches a system for transforming input data in a first format to output data in a second format, wherein a plurality of threads execute in parallel to format the input data to produce corresponding output format (fig. 1; Paragraph 0013).

10.   It would have been obvious to one of ordinary in the art at the time the invention was made to combine the teachings convert the associated content items to a corresponding associated formats as taught by Crook by using a plurality of parallel processing threads, wherein each thread converts data in a first format to a corresponding second format as taught by Ladd. The motivation for the suggested combination is that Ladd's teachings of a plurality of parallel processing threads would improve the performance of the suggested system by allowing simultaneous execution of processes and allowing scalability of the system (Paragraph 0020).

11.   As per claim 12, Crook teaches substantially the invention as claimed including a method for conversion of deliverables, the method comprising:

        providing a user interface that enables a user to enter a request for converting a plurality of deliverables to a plurality of formats suitable for presentation, each deliverable including an associated content item and a corresponding associated format to which to convert the associated content item (Paragraph 0020. Instructor delivers document for conversion. Paragraph 0021. Document comprises information content and format codes for conversion to HTML codes.);

        preparing the associated content items for conversion based on the corresponding associated formats (Paragraphs 0020-0021; 0025. Deliver document for conversion, which comprises information content and format codes including special codes. "preparing" considered as a process of creating,

retrieving, or extracting content for conversion. Paragraph 0023. Determine, i.e. "preparing", HTML code for formatting code.);

converting the associated content items, whereby "a device" converts the associated content item to the corresponding associated format (Paragraph 0022. Translate formatting codes into HTML codes. Paragraph 0024. Generate links for special codes.);

compiling the converted deliverables for distribution over a plurality of delivery channels (Paragraph 0025. Translation results in HTML document. HTML document would comprise "compiled" HTML codes.); and

posting the converted deliverables as content to the delivery channels; and delivering the content to a plurality of presentation devices (fig. 6. #230 Students. Page 5, claim 6. Deliver test to one or more person over network. Paragraph 0057. Deliver documents to students.).

12.   Crook does not specifically teach each corresponding associated formats including at least one specified translated human language. Crook teaches of converting associated content items to corresponding associated formats but does not specifically teach of converting using a plurality of parallel processing threads, each thread corresponding to an associated deliverable, whereby each thread converts the associated content item to the corresponding associated format by using a plurality of parallel processing threads.

13.   Stuppy teaches of converting deliverables to formats suitable for presentation, wherein associated content items includes at least one specified translated human language (Paragraph 0067. Material is customized for each student. Transform material to Spanish.).

14.   It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the associated formats to include at least one specified translated human language. The motivation is that Stuppy's teachings would improve Crook's system by providing

customized material to each student based on each of the student's profile and enabling a teacher to individually interact with students over a communication channel (Paragraph 0015).

15.   Ladd teaches a system for transforming input data in a first format to output data in a second format, wherein a plurality of threads execute in parallel to format the input data to produce corresponding output format (fig. 1; Paragraph 0013).

16.   It would have been obvious to one of ordinary in the art at the time the invention was made to combine the teachings convert the associated content items to a corresponding associated formats as taught by Crook by using a plurality of parallel processing threads, wherein each thread converts data in a first format to a corresponding second format as taught by Ladd. The motivation for the suggested combination is that Ladd's teachings of a plurality of parallel processing threads would improve the performance of the suggested system by allowing simultaneous execution of processes and allowing scalability of the system (Paragraph 0020).

17.   As per claims 6 and 16, Crook teaches the invention of claims 1 and 12, further comprising receiving a request from a user to convert the plurality of deliverables to the plurality of formats suitable for presentation (Paragraphs 0020-0022. Convert document comprising of information content and format codes to HTML codes.) and transmitting the converted deliverables (fig. 6. #230 Students. Page 5, claim 6. Paragraph 0057.). Crook does not specifically teach the request including a selected delivery channel over which to distribute the converted deliverables.

18.   Stuppy teaches a system for network based education, wherein an instructor may select a communication channel to communicate with student stations (claim 1; paragraph 0016) and transmit converted data (text to audio) to student stations (Paragraph 0054).

19.   It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the request to include a selected delivery channel to distribute converted content as taught Stuppy. The motivation for the suggested combination is that Stuppy's teachings would improve the suggested system by enabling an instructor to interactively communicate with students individually to provide assistance on an individual basis.

20.   Claims 3 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crook, Stuppy, and Ladd, in view of Rachmann et al. US Publication #2002/0182578 (Rachman hereinafter).

21.   As per claims 3 and 14, Crook teaches the methods of claims 1 and 12, wherein preparing the associated content items for conversion comprises customizing the associated content items (Paragraph 0063. Select design for the material. Paragraphs 0021; 0025. Prepare document comprising formatting codes including special codes) but not specifically by specifying a valid identifier that is required to access and present each deliverable at each presentation client.

22.   Rachman teaches an online course system, wherein a teacher or administrator specifies a valid identifier that is required to access and present content to each client (Paragraphs 0096; 0106).

23.   It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to specify a valid identifier that is required to access and present deliverable at each presentation client. The motivation for the suggested combination is that Rachman's teachings would improve the suggested system by enabling only authorized users to access the system.

Conclusion

24.   A shortened statutory period for reply to this Office action is set to expire THREE MONTHS from the mailing date of this action.

25.   Any inquiry concerning this communication or earlier communications from the examiner should

be directed to Joshua Joo whose telephone number is 571 272-3966. The examiner can normally be

reached on Monday to Thursday 8AM to 5PM and every other Friday.

26.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Nathan J. Flynn can be reached on 571 272-1915. The fax phone number for the organization where this

application or proceeding is assigned is 571-273-8300.

27.   Information regarding the status of an application may be obtained from the Patent Application

Information Retrieval (PAIR) system. Status information for published applications may be obtained

from either Private PAIR or Public PAIR. Status information for unpublished applications is available

through Private PAIR only. For more information about the PAIR system, see http://pair-

direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

/J. J./
Examiner, Art Unit 2454

/Nathan J. Flynn/
Supervisory Patent Examiner, Art Unit 2454